

14. (Amended) The food preparation line of Claim 1 additionally comprising at least one electronic display unit positioned along the line.

15. (Amended) The food preparation line of Claim 14, wherein the at least one electronic display is located proximate to either the first or third section.

22. (Amended) The food preparation line of Claim 1 additionally comprising [an] a food ingredient dispenser positioned near the intersection of the first and second sections.

31. (Amended) [The food preparation line of Claim 30,] A food preparation line comprising a first section, a second section lying generally normal to the first section, a third section positioned next to and extending away from the second section, and a hanging storage system positioned on at least one of the sections wherein the hanging storage system comprises at least one container, a shelf configured to removably receive the at least one container, the shelf further including a hook in at least two locations, the hook defining an aperture, and the aperture removably receiving a rod.

Please add the following new claims:

49. The food preparation line of Claim 24, wherein the ingredient is a melted cheese product.

50. The food preparation line of Claim 31 further comprising a heated storage compartment positioned on one of the sections.

51. The food preparation line of Claim 50 further comprising a cooled storage compartment positioned on another one of the sections.

52. The food preparation line of Claim 5, wherein the means for heating a food product is also partially located on the first section.

53. The food preparation line of Claim 1, further comprising a steam table partially located on the second section.

54. The food preparation line of Claim 53, wherein the steam table is also at least partially located on the first section.

55. A food product assembly area comprising a first station and a second station, the first station generally located at a juncture between a first counter section and a second counter section and the second station generally located at a juncture between the second counter section and a third counter section, the first counter section, the second counter section and the third counter section arranged in a generally U-shaped configuration, a first storage compartment for a food product base disposed on at least one of the first and second counter sections within arm's reach from the first station, a heating device for a food product component to be applied to the food product base disposed on at least one of the first and second counter sections within arm's reach from the first station, a second storage compartment for a chilled food product component to be applied to at least the food product base disposed on at least one of the second and third counter sections within arm's reach from the second station, and a packaging dispenser disposed on at least one of the second and third counter sections within arm's reach from the second station, the first station and the second station being arranged so as to enable a first worker positioned at the first station to directly pass the food product to a second worker positioned at the second station.

56. The food product assembly area of Claim 55, wherein the first compartment is a steam cabinet.

57. The food product assembly area of Claim 56 additionally comprising a heated shelf disposed on at least one of the first and second counter sections within arm's reach of the first station.

58. The food product assembly area of Claim 55, wherein the heating device is a steam table.

59. The food product assembly area of Claim 55, wherein the second compartment is a produce bin.

60. The food product assembly area of Claim 55 additionally comprising a food ingredient dispenser disposed on at least one of the first and second counter sections within arm's reach of the first station.

61. The food product assembly area of Claim 55, wherein the first compartment is a heated shelf.

Appl. No. : 09/026,824
Filed : February 20, 1998

62. The food product assembly area of Claim 55 additionally comprising at least one electronic display disposed on at least one of the counter sections.

63. The food product assembly area of Claim 62, wherein said electronic display is arranged within arm's reach from at least one of the first and second stations.

COMMENTS

In response to the Office Action mailed March 11, 1999, Applicants respectfully request the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

Claims 1-31 and 44-63 are currently pending. Claims 1-30 and 44-48 have been rejected. Claim 31 has been indicated as containing allowable subject matter. Claims 1, 12, 14, 15, 22 and 31 have been amended and Claims 49-63 have been added.

In addition, Applicants confirm the election made without traverse during the telephone conversation of December 9, 1998. Applicants therefore have cancelled Claims 32-43, which the Examiner withdrew from examination.

Any amendments not specifically discussed in the following comments have been inserted to clarify the claims and not to distinguish over any prior art. For instance, Claims 14 and 15 have been amended to clarify that the recited display is an electronic display. Moreover, Claim 22 has been amended to clarify that the recited ingredient dispenser dispenses a food ingredient and not beverages. The amendments simply clarify the claims as filed and are not required to overcome any applied reference.

All Pending Claims Now Fully Comply With 35 U.S.C. § 112

Claim 12 stands rejected under 35 U.S.C. § 112, second paragraph, as indefinite. In response, Applicants have amended Claim 12 to properly depend from Claim 11 such that there is an antecedent basis for "the taco rail." Applicants submit that all pending claims now fully comply with the requirements of 35 U.S.C. § 112.

Appl. No. : 09/026,824
Filed : February 20, 1998

Tuhro et al. Does Not Anticipate Claims 1-4, 7, 10, 13-18, 20, 21, 29 or 30

Claims 1-4, 7, 10, 13-18, 20, 21, 29 and 30 have been rejected as anticipated by Tuhro et al. Applicants respectfully submit that Claim 1, as amended, defines over Tuhro et al..

Amended Claim 1 recites, among other limitations, a generally open package storage compartment located near an end of the third section, which end is distal of the second section. Tuhro, et al. only disclosed closed cabinet base units and did not disclose an open package storage compartment. Moreover, the closed cabinet base units of Tuhro, et al. were not located near an end of the third section, which is distal of the second section. Accordingly, because each of the limitations of Claim 1 is not disclosed or suggested by Tuhro, et al., Claim 1 is not anticipated by Tuhro, et al.

Claims 2-4, 7, 10, 13-18, 20, 21, 29 and 30 each depend from Claim 1 and are not anticipated by Tuhro et al. for the reasons recited above. Additionally, each of the dependent claims recite further subject matter that distinguishes over the disclosure of Tuhro et al. For instance, Claim 3 recites a heated storage compartment positioned on one of the sections and having an access opening on two sides. Tuhro et al. did not disclose such a heated storage compartment. Accordingly, Claims 2-4, 7, 10, 13-18, 20, 21, 29 and 30 are not anticipated by Tuhro et al. Reconsideration of Claims 1-4, 7, 10, 13-18, 20, 21, 29 and 30 is respectfully requested.

Not only is Claim 1 not anticipated, but Claim 1 also is not rendered obvious by Tuhro et al. Tuhro et al. did not teach or suggest each limitation of Claim 1, including a generally open package storage compartment located near an end of the third section, which end is distal of the second section. As the Examiner is well aware, if an independent claim is nonobvious, then any claim depending therefrom is also nonobvious. Therefore, each of the following rejections of claims that depend from Claim 1 is considered moot. Each of these dependent claims also further define over the applied reference, as explained below.

The Applied Combination of Tuhro et al./Conlon et al. Does Not Render Claim 5 Obvious

Claim 5 has been rejected as unpatentable over Tuhro et al. in view of Conlon et al. Applicants traverse this rejection. Claim 5 recites, among other limitations, both the open package

Appl. No. : 09/026,824
Filed : February 20, 1998

storage compartment of Claim 1 and a means for heating a food product at least partially located on the second section. The applied references, alone or in combination, failed to teach at least these limitations of Claim 5. Accordingly, no prima facie case of obviousness has been established. Reconsideration is respectfully requested.

The Applied Combination of Tuhro et al./Searcy Does Not Render Claim 6 Obvious

Claim 6 has been rejected as unpatentable over Tuhro et al. in view of Searcy. Applicants traverse this rejection as well. As discussed above, Tuhro, et al. did not teach, suggest or otherwise disclose a generally open package storage compartment located near an end of the third section which end is distal of the second section whereby packaging stored in the generally open package storage compartment may be easily accessed. To the contrary, Tuhro, et al. was directed to a cafeteria or buffet type line and would not require such packaging. On the other hand, Searcy disclosed a store configuration having a central work table 38 that was "large enough to provide space for wrapping the goods sold." Col. 3:36-38. The U-shaped configuration of the store in Searcy did not form a part of any food preparation line. Indeed, the central work table was both the preparation and packaging area. Because neither reference, alone or in combination with the other, disclosed, taught, or suggested all of the limitations of Claim 6, and because there was no motivation in the prior art to make the combination, reconsideration of Claim 6 is respectfully requested.

Tuhro, et al. Renders Claims 8 and 9 Obvious

Claims 8 and 9 have been rejected as unpatentable over Tuhro, et al. Applicants respectfully traverse this rejection. Claims 8 and 9 recite, among other elements, at least one sensor interacting with the hot ingredient well, a diagnostic system to indicate an operational state of the hot ingredient well and an indicator that is triggered by a diagnostic system in the event of an abnormal condition. The applied reference did not teach or suggest these features and the claimed invention as a whole. Accordingly, no prima facie case of obviousness has been made. Reconsideration of Claims 8 and 9 is requested.

Appl. No. : 09/026,824
Filed : February 20, 1998

The Applied Combination of Tuhro, et al./Baze Does Not Render Claim 11 Obvious

Claim 11 has been rejected as unpatentable over Tuhro et al. in view of Baze. Applicants traverse this rejection. Applicants disagree with the characterization of Baze as a taco rail. Baze taught a utensil for forming tortillas into baked taco shells. Baze did not teach or otherwise suggest a rail for assembling tacos or a taco rail positioned along a food preparation line. Accordingly, the prior art did not teach or suggest, alone or in combination, each limitation of Claim 11 and, therefore, no *prima facie* case of obviousness has been established. Reconsideration of Claim 11 is respectfully requested.

The Applied Combination of Tuhro, et al./Boyd, et al. Does Not Render Claims 19 and 44-47 Obvious

Claims 19 and 44-47 have been rejected as unpatentable over Tuhro, et al. in view of Boyd, et al. Applicants disagree. Claim 19 recites more than just cup dispensers. For example, Claim 19 recites, among other elements, a positioning of a hot ingredient well and a placement of the cup dispenser relative to a steam cabinet and the hot ingredient well. As these limitations were not disclosed, taught, or otherwise suggested by the applied references, a *prima facie* case of obviousness has not been established. Reconsideration of Claim 19 is requested.

Regarding Claims 44-49, no indication was made as to how the prior art was being applied to the claims. As Claims 44-49 do not recite a cup dispenser, Boyd, et al. is believed to be inapplicable to the claims. The prior art references must teach or suggest all of the limitations to establish a *prima facie* case of obviousness. In this case, neither reference taught or suggested, among other limitations, positioning a warmer and a heating device within an arm span of a worker. Accordingly, no *prima facie* case of obviousness has been made. Reconsideration of Claims 44-47 is respectfully requested.

The Applied Combination of Tuhro, et al./Conlon, et al. Does Not Render Claims 22-26 Obvious

Claims 22-26 have been rejected as unpatentable over Tuhro, et al. in view of Conlon, et al. Applicants traverse this rejection. The arrays of nozzles 52 and 54 of Conlon are for soft drinks, coffee and hot water. Col. 6:44-47. Clearly, Conlon did not disclose, teach or otherwise suggest a non-beverage ingredient dispenser such as that described in the specification and recited in

Appl. No. : 09/026,824
Filed : February 20, 1998

Claim 22. As Claims 22-26 recite numerous limitations, in addition to the non-beverage ingredient dispenser of Claim 22, which were not taught or otherwise suggested by either applied reference, no *prima facie* case of obviousness has been established. Reconsideration of Claims 22-26 is respectfully requested.

The Applied Combination of Tuhro, et al. / Conlon, et al. / Pinckard Does Not Render Claims 27 And 28 Obvious

Claims 27 and 28 have been rejected as unpatentable over Tuhro, et al. in view of Conlon, et al. and further in view of Pinckard. Applicants respectfully traverse this rejection. The applied references did not, individually or in combination, disclose, teach or otherwise suggest, among other elements, the ergonomic placement of the heated shelf as recited in Claims 27 and 28 or the packaging dispenser. Accordingly, no *prima facie* case of obviousness has been established. Reconsideration is respectfully requested.

The Applied Combination of Tuhro, et al./Boyd, et al./Searcy Does Not Render Claim 48 Obvious

Applicants respectfully traverse the rejection of Claim 47 as unpatentable over Tuhro, et al. in view of Boyd, et al. and further in view of Searcy.

A prior art reference must be considered in its entirety. Searcy taught a store arrangement that featured a work table for service personnel to perform various functions. More particularly, the single central work table provided an area for supporting a slicer, scale, steamer, shredder and other items needed in connection with operating a deli and preparing bulk cheese, bakery items and other such goods for sale. This central work table teaches away from the use of an assembly-line style of food preparation line recited by Claim 48. Accordingly, modifying the applied references as suggested by the Examiner would render the references unsatisfactory for their intended purposes and, therefore, there is no suggestion or motivation in the prior art to make the proposed modification or combination. Reconsideration is therefore requested.

The New Claims Are Allowable

New Claims 49-63 have been added to define further patentable aspects of the present invention. Applicants submit that the claims as filed distinguish over the applied references.

Appl. No. : 09/026,824
Filed : February 20, 1998

Moreover, no new matter has been introduced through these new claims. Accordingly, entry and allowance of the new claims are respectfully requested.

CONCLUSION

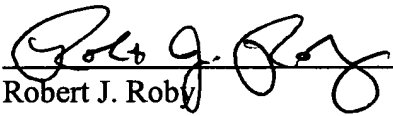
For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Respectfully submitted,

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